

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:21-cv-00213-MR-WCM

MYRON WAYNE BODTKER ,)	
)	
Plaintiff,)	ORDER
)	
v.)	
)	
WAL-MART, INC.,)	
)	
Defendant.)	
)	

This matter is before the Court on “Defendant’s Motion for Status Conference and for Abeyance of Plaintiff’s Discovery Motions” (the Motion for Status Conference,” Doc. 68).

By this motion, Defendant asks the Court to set a status conference in this case and to hold in abeyance various discovery motions that Plaintiff has recently filed pending that conference. See Docs. 64, 65, 66, 67.

As an initial matter, though Defendant’s filing refers to a “status conference,” Defendant is essentially asking for a hearing on Plaintiff’s recently filed motions, and for Defendant to be relieved of the responsibility of filing responses to those motions in advance of the hearing.

Having reviewed the Motion for Status Conference and Plaintiff’s filings and noting that the deadline for the parties to complete court-enforceable discovery is March 4, 2024, Defendant’s request will be granted in part.

Specifically, a hearing will be scheduled on Plaintiff's motions, along with a general status conference. However, the Court declines to relieve Defendant of the obligation of responding to those motions in writing; if the Court is going to hear argument regarding Plaintiff's motions, Plaintiff should have the benefit of Defendant's written positions on those motions as he prepares for the hearing.

IT IS THEREFORE ORDERED THAT:

1. "Defendant's Motion for Status Conference and for Abeyance of Plaintiff's Discovery Motions" (Doc. 68) is **GRANTED IN PART**.
2. The Clerk is respectfully directed to schedule a status conference as well as a hearing, to be conducted in person, on the following motions that have been filed by Plaintiff:
 - a. "Motion to Suspend Deposition of Plaintiff, Pending Defendant's Complete and Sufficient Compliance with Discovery: Rule 33 & 34" (Doc. 64);
 - b. "Motion to Limit Defense Deposition of Plaintiff on Grounds (Rule 30: (3A) & Motion to be Deposited in Writing (Rule 31)" (Doc. 65);
 - c. "Motion to Extend the Time Allotted by the Court for Discovery in this Case" (Doc. 66); and

- d. “Motion to Hold Defense Counsel and Defense in Contempt of Court and Compel Them to Comply Fully and Immediately with Federal Rule #33 and Rule #34” (Doc. 67).
3. Defendant’s deadline to file a response in opposition to these motions is **SHORTENED to February 20, 2024.**

Signed: February 14, 2024



W. Carleton Metcalf
United States Magistrate Judge

